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REMARKS

Reconsideration and allowance of this application are respectfully requested in view of the above amendments and the following remarks.

The Office Action objected to the Abstract, and in particular requested removal of the "means" language. The Abstract has been amended to delete the word "means" and also the delete the word "comprising". Accordingly, the Abstract is now proper.

In addition, the specification, claims, and Abstract have been amended to assure idiomatic and grammatical English and proper format under United States practice. In view of the extent of the amendments to the specification, a Substitute Specification is submitted, together with a copy of the original specification marked to show the changes. The undersigned attorney affirms that the Substitute Specification contains no new matter.

The Restriction Requirement of March 12, 2003 stated that the drawings depicted a Species I in Figures 1-3 and a Species II in Figures 9-10, together with a Sub-Species A in Figure 4, a Sub-Species B in Figures 5-6, and a Sub-Species C in Figures 7-8 and required election of a single Species and Sub-Species. The Response to Election Requirement filed April 7, 2003 pointed out that claims 1 and 8 are generic, claim 2 covers Species I, claim 3 covers Species II, claim 4 covers Sub-Species A, claim 5 covers Sub-Species B, and claims 6 and 7 cover Sub-Species C. To comply with the requirement for election of a single Species and Sub-Species, the Response to Election Requirement elected Species I and Sub-Species A, and thus generic claims 1 and 8, Species I claim 2, and Sub-Species A, claim 4.

Claims 1, 2, 4 and 8 were rejected under 35 U.S.C. §112, second paragraph, as indefinite, with the contention that the claim language “a shift lever support that...supports said shift lever” appears to indicate that the shift lever and the shift lever support are two elements, while the specification shows shift lever support 35 integral with shift lever 34. This rejection is traversed, and reconsideration and withdrawal of it are requested. The original specification at, for example, page 5 lines 14-15 states that shift sleeve 35, which is the shift lever support, is “constituted integratedly” with shift lever 34. That the shift sleeve and the shift lever are “constituted integratedly” does not mean that the shift sleeve does not support the shift lever. Consider, for example, a cantilever. Attached is a discussion of “cantilever” from *McGraw-Hill Encyclopedia of Science and Technology*, 7th Edition, McGraw-Hill, Inc., 1992. It describes a cantilever as a beam supported at one end and supporting a load along its length. A part of that load is the cantilever itself. The description cites as an example a cantilever bridge and includes an illustration of one. That illustration shows two cantilever arms with a suspended span between them. Each cantilever arm supports itself, as well as helping to support the suspended span. Likewise, Applicants’ shift sleeve supports the shift lever.

Further, attached is a copy of a definition of “integrated” from *Webster’s Third New International Dictionary of the English Language Unabridged*, G&C Merriam Company, 1976. That definition includes “composed of separate parts united together to form a more complete entity.” Thus, Applicants’ shift sleeve and shift lever might be separate parts united together.

In addition, in view of the disclosure in claim 1 that the shift sleeve and the shift lever might be two separate elements (see MPEP §608.01(b)), the specification has been amended at page 5 line 15 of the original specification to describe shift sleeve 35 as constituted integrately with, or otherwise supporting, shift lever 34. To assure Applicants the degree of protection to which their invention entitles them, claim 9 has been added, explicitly reciting the shift sleeve and the shift lever as constituted integrately.

It is accordingly submitted that this rejection should be withdrawn.

During a telephone interview July 8, 2003 between the undersigned attorney for Applicants and Examiner Bradley T. King, the Examiner indicated that claim 2, which was directed to Species I, was not rejected on prior art in the June 19, 2003 Office Action, but was rejected only under 35 U.S.C. §112. That rejection is traversed above, and so it is submitted that original claim 2 was allowable. Claim 1, which was generic, was rejected on prior art. The above amendments incorporate the substance of claim 2 into claim 1 and cancel claim 2. Accordingly, claim 1 is allowable. Claim 3, which was directed to species II, has also been cancelled. Amended claim 1 is generic to dependent claims 4-8. Therefore claims 4-8 are also allowable.

The subject matter of original dependent claim 8 has been presented in independent form as claim 10. Original claim 8 was rejected under 35 U.S.C. §103 as being unpatentable over Carpenter, United States Patent No. 5,743,143, in view of Bovina, United States Patent No. 6,382,042. Insofar as it may apply to claim 10, this rejection is traversed, and reconsideration and withdrawal of it are requested. Applicants' invention, as described by claim

10, is neither shown nor suggested by Carpenter and Bovina, whether Carpenter and Bovina be considered in combination or separately.

Applicants' gear change device as described by claim 10 includes select position-limiting means for limiting the operation position of the shift lever support member in accordance with thrust produced on the shift lever support member due to electric power supplied to the coil. The rejection of original claim 8 contended that channel 234 shown in Figure 5a of Carpenter limits movement. As described in Carpenter at column 5, lines 66 to column 6, line 6, slot 234 seats tab 232 of washer member 230. Channel or slot 234 does limit the movement of shaft 202 relative to washer 230, but it does so by mechanically limiting the axial movement of shaft. Slot 234 does not limit the operation position of the shift lever support member in accordance with thrust produced on the shift lever support member due to electric power supplied to the coil. Slot 234 has no relationship to any thrust produced by electric power supplied to a coil. Coil 236, shown in Figure 5B, senses the extent to which finger member 234 (as distinguished from slot 234) extends within the coil, thus detecting the angular position of shaft 202.

As described in the original specification commencing at page 7, line 27, Applicants' select position-limiting means in one embodiment is components 47 and 48 depicted in Figures 1 and 2 and in another embodiment is components 47a and 48a depicted in Figures 9 and 10. These components limit the axial movement of shift sleeve 35 in accordance with the thrust caused by the electrical power provided to coils 40 and 41.

It is accordingly urged that claim 10 distinguishes patentably from the references and is allowable.

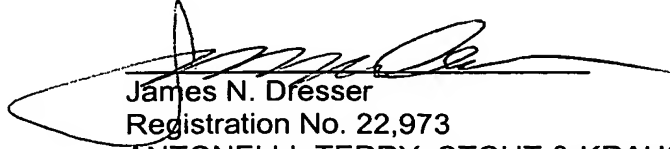
The Office Action states that claims 1 and 8 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of co-pending applications serial nos. 10/217,431 and 10/171,610. Both of those applications are still pending and are assigned to the assignee of the present application. No Office Actions have been received on either application Serial No. 10/217,431 or application Serial No. 10/171,610 as of yet. Consequently, the final form of the claims of those applications can not be determined. In addition, the above amendment to claim 1, clearly avoids any double patenting rejection of claims 1 and 4-8. Since neither of the cited applications has yet had found claims allowable, rejection of claim 10 for double patenting is inappropriate.

In view of the above amendments and remarks, together with the replacements drawing sheets, it is respectfully submitted that all of the grounds for objection and rejection have been overcome, that the claims are allowable, and that the application is in condition for allowance. Such action would be appreciated.

To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to

Deposit Account No. 01-2135 (Case No. 358.41077X00) and please credit any excess fees to such deposit account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James N. Dresser", is written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.

James N. Dresser
Registration No. 22,973
ANTONELLI, TERRY, STOUT & KRAUS, LLP

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Attachments

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Cantaloupes (*Cucumis melo*).

ons harvested at less than full-slip maturity do not achieve their full potential for sugar content, flavor, texture, and aroma. *SEE ASCORBIC ACID; VITAMIN A.*

The use of the name cantaloupe to indicate these medium-sized, netted melons with green and yellow-green rinds has become firmly established in the United States. However, this is a misnomer, and the name cantaloupe should be restricted to cultivars of *C. melo* var. *cantalupensis*. The fruits of this group are rough and scaly, with deep vein tracts and a hard rind. Cultivars of the variety *cantalupensis* are grown in Europe and Asia, but seldom in the United States.

Cantaloupe culture in the United States began with the introduction of the Netted Gem cultivar by the Burpee Seed Company in 1881.

Cultivation and production. Cantaloupes require a frost-free season of about 95 days to mature. Average temperatures of 70°F (21°C) are favorable for the production of high-quality melons. Most of the United States production is on irrigated land in the arid and semiarid Southwest because of favorable temperatures and lack of rain during the growing season. California grows approximately 51% of the United States acreage, followed by Texas with 22% and Arizona with 13%. Most of the California production is in the summer in the Sacramento and San Joaquin valleys, while Texas produces in the spring. High harvest and transportation costs tend to make cantaloupes a luxury product on the eastern markets. *SEE MELON GROWING; MUSKMELON.*

Oscar A. Lorenz

Diseases. Cantaloupe plants can be infected with bacterial wilt, angular leaf spot, downy mildew, scab, and cucumber mosaic. In addition, there are other fungal and viral diseases which can greatly reduce plant vigor and fruit quantity or quality.

Fungal diseases. Anthracnose may be the most destructive of all diseases affecting cantaloupe. All plant parts, excluding the roots, are susceptible to the pathogen *Colletotrichum lagenarium*. Lesions may coalesce to kill entire leaves, stems and runners. Depressed spots are formed on the fruits and, when wet conditions persist, are covered with a mass of pink spores. Spores easily spread to uninfected plants by splashing rain or are carried by cucumber beetles. The fungus has as many as seven races which are capable of infecting different cultivars. The disease can be controlled by using resistant varieties, although breeding for disease resistance in cantaloupes has lagged behind that in cucumbers and watermelons. Control can be achieved by crop rotation, proper drainage, and fungicides such as the dithiocarbamates.

Powdery mildew is a destructive disease caused by either *Spaerotheca fulginea* or *Erysiphe cichora-*

cearum. These fungi form a fuzzy white growth on the fruit, stem, or leaf. Tissue covered by the fungus for extended periods of time may be killed. Overwintering structures are tiny black fruiting bodies. Infection is most likely to occur when humidity is high and temperatures are moderately high. Powdery mildew is controlled by dusting plants with Karathane or sulfur. Resistant cultivars derived from P.M.R. 45, Georgia 47, Honey Ball 306, and Homegarden can also be planted.

Fusarium wilt, caused by *Fusarium oxysporum* f. *melonis*, is a particular problem in the northern states from Maine to Minnesota. The fungus either causes damping-off in young seedlings or a root rot and stem blight in older plants. Badly affected plant stems crack open, and the plants desiccate. The pathogen lives in old plant debris and as propagules in the soil. Hence crop rotation is not an effective control measure. The only worthwhile means of control is to plant resistant varieties, such as Honey Dew, Golden Gopher, Iroquois, Delicious 51, and Harvest Queen.

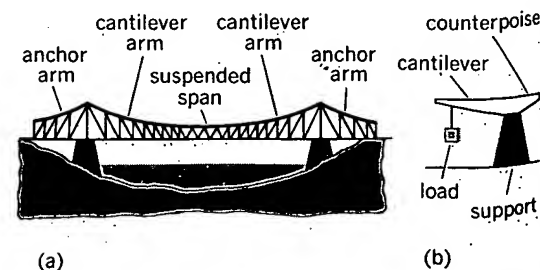
Viral diseases. Muskmelon mosaic and squash mosaic cause serious crop losses from time to time. Muskmelon mosaic virus is seed- and aphid-transmitted. Leaves develop a mottling and may be distorted in shape. Fruit production is greatly decreased. Squash mosaic virus is seed-transmitted and causes symptoms similar to those caused by muskmelon mosaic virus. Both virus diseases can be controlled by using certified disease-free seed and by eliminating wild cucurbit weeds from nearby locations. *SEE PLANT VIRUSES AND VIROIDS.*

Frank L. Caruso

Bibliography. R. A. Seelig, *Cantaloupes*, United Fresh Fruit and Vegetable Association, 1973; T. W. Whitaker and G. N. Davis, *Cucurbits*, 1961.

Cantilever

A beam supported at one end and supporting a load along its length or at its free end, the upper portion of the beam, if horizontal, being everywhere in tension and the lower portion being everywhere in compression. Familiar examples are the symmetrical paired cantilevers of a seesaw or teeterboard; the beam in a chemical balance, and the unsymmetrical cantilever in the overhang of a roof. The longest cantilever structure is the railroad bridge at Quebec; it spans 1800 ft (540 m). Many drawbridges are basically cantilevers. The balcony in a theater may be designed as a cantilever surface. Hammerhead and similar type cranes are cantilevers (see *illus.*). For any of these structures to be stable, the beam must sustain at any cross section both the tensions and compressions and the couple between them.



(a)

(b)

Two different applications of the cantilever. (a) Bridge. (b) Hammerhead crane.